

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

FISCHER *et al.*

Appl. No.: 10/567,788

Filed: February 16, 2007

For: 4-Biphenyl-Substituted
Pyrazolidin-3,5-Dione Derivatives

Confirmation No.: 2694

Art Unit: 1626

Examiner: CHU, Yong Liang

Atty. Docket: 2400.0210000/JMC/PDL

Declaration of Arnd Voerste Under 37 C.F.R. § 1.132

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

I, Arnd Voerste, a citizen of Germany, hereby declare:

1. That I am a chemist and pharmacist having studied at the University of Münster, Westphalia, Germany.
2. That I received my doctor's degree at the University of Münster, Westphalia, Germany in 1994.
3. That I entered the employment of Bayer AG in 1995 and am now employed by Bayer CropScience AG, the assignee of the present application.
4. That I have specialized in plant protection biology, especially screening.
5. That, in the above-captioned application, I have read and understood the specification and the claims of the Application.
6. That Example A has been carried out under my supervision and control.

7. Example A: *Tetranychus urticae* - test OP-resistant (TETRUR spray application)

Solvent: 78.0 parts by weight acetone

1.5 parts by weight dimethylformamide

Emulsifier: 0.5 parts by weight alkylarylpolyglcol ether

To produce a suitable preparation of active compound, 1 part by weight of active compound is mixed with the stated amount of solvent and emulsifier, and the concentrate is diluted with emulsifier-containing water to the desired concentration. French beans (*Phaseolus vulgaris*) which are heavily infested with all stages of the two spotted spider mite (*Tetranychus urticae*), are sprayed with a preparation of the active ingredient at the desired concentration. After 6 days, mortality in % is determined. 100 % means that all spider mites have been killed and 0 % means that none of the spider mites have been killed.

In this test, for example, the following compounds showed activity, compared to the cited art:

substance	structure	pest	concentration	% mortality
I-b-40 known from WO 01/17973		TETRUR	500g/ha	0
I-1-a-2 according to the invention		TETRUR	500g/ha	90

8. The undersigned declarant declares further that all statements made herein of his/her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed at MÜNSTER, GERMANY

2011-08-09
Date

Dr. Arnd Voerste
Dr. Arnd Voerste

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